

November 8, 2006

The regular meeting of the Santa Rosa County Building Code Board of Adjustments and Appeals was held November 8, 2006, at 3:00 p.m. in the conference room of the Santa Rosa County Building Inspection Department located at 6051 Old Bagdad Highway, Milton, FL 32583. Board members present were Mr. Danny Holt, Chairman; Mr. Charles "Pete" Southerland, Vice Chairman; Mr. William J. Blackman, Mr. James "Larry" Hall and Mr. Frank Harold.

Building Inspection Department staff in attendance was Mr. Tim Tolbert, Building Official; Mrs. Rhonda Royals, Deputy Building Official; Mr. Skip Tompkins, Compliance Division Superintendent; Mr. Randy Jones, Compliance Investigator; Mr. Bobby Burkett, Compliance Investigator and Mrs. Robyn Leverton, Administrative Assistant I.

Mr. Tom Dannheisser, County Attorney, was present for the meeting.

Mr. Danny Holt, Chairman, called the meeting to order at 3:00 p.m.

A court reporter from Anchor Court Reporting, Pensacola, was present for the "Formal Hearing" portion of these minutes.

**Approval of Agenda:**

An amendment was made to move the Werner Panchenko vs. Timothy K Sowell case up as the first item of business. Mr. Southerland made a motion to accept the amended agenda. Mr. Blackman seconded the motion. The motion carried with a unanimous vote.

**Approval of Minutes:**

Mr. Hall made a motion to approve the minutes from the October 11, 2006 meeting. Mr. Blackman seconded the motion. The motion carried with a unanimous vote.

**Next Meeting:**

The next regularly scheduled meeting is Wednesday, December 13, 2006, at 3:00 p.m. in the Building Inspection Department Conference Room.

**Old Business (Probable Cause)**

**Werner Panchenko vs. Timothy K. Sowell d/b/a Tim Sowell Roofing**

Rhonda Royals re-introduced the case. Rhonda stated that at last month's meeting the contractor, Mr. Sowell, agreed to make repairs. Specifically, he was going to put on a new roof for Mr. Panchenko.

Randy Jones reviewed the case with the Board. He said that he received a letter from Mr. Sowell about one week ago stating that he was going to start the roof on Monday, October 9<sup>th</sup>. There was a miscellaneous inspection on October 6<sup>th</sup>; an inspector went to the site the next day and again this morning (October 11<sup>th</sup>). According to the inspector, nothing has been done. He asked Mr. Sowell about that, Mr. Sowell told him that it's the same color of roof and they are replacing one panel at a time. Randy said that there are still some issues with all the stacks that were cut off. They are not yet complete, but should be in several days.

Mr. Sowell addressed the Board. He said they started working on the roof Friday, October 6<sup>th</sup> and are replacing three panels at a time. The reason the roof isn't complete... Mr. Panchenko wanted 24 gauge vs. what was originally there and he wanted to change the color. He said he would be done within the next 30 days.

Mr. Blackman made a motion to table the case until the next meeting to allow contractor additional completion time; if roof is complete and the final passes he does not have to appear at the next meeting. Mr. Southerland seconded the motion. The motion carried with a unanimous vote.

**Old Business (Formal Hearing)**

**AMVETS Post 1292 vs. Robert Chandler Knowles d/b/a Chandler Knowles, Inc.**

Rhonda introduced the case and stated that in the previous formal hearing the Board found Robert Chandler Knowles guilty of all three charges. The case was tabled until this meeting to determine disciplinary action against Mr. Knowles license #RB0035580. The delay, in voting on disciplinary action, was to give Mr. Knowles an opportunity to work up an agreement with AMVETS for restitution. The Board heard the case again last month (October) and gave Mr. Knowles another 30 days to work out some additional items. Mr. Knowles is in attendance today, but there are no representatives from the AMVETS.

Randy was sworn in. He said, "Several weeks after the October '06 meeting I went by the AMVETS and asked if they were working with Mr. Knowles on the agreement that was mentioned at the meeting. They said they were. They told me it was with their attorney; he was looking at it and they would get with us. I advised them at that time that somebody needed to attend this meeting. I didn't hear anything from them and I went by (the Post) earlier this morning and spoke with them again. This time I was told that they don't have an attorney; the hold up on their decision is their concern that if they make an agreement to be reimbursed with Mr. Knowles, it might affect their ability to access the Recovery Fund from the State."

A discussion ensued.

Mr. Southerland made a motion that a letter of reprimand, contingent on a reasonable settlement with the AMVETS, go into Mr.

Knowles file.

Mr. Blackman asked Tom Dannheisser if the Board can go back and take Mr. Knowles license away if he doesn't make restitution with the AMVETS. Mr. Dannheisser said, "You could specifically get Mr. Knowles agreement on the record stating that what you are doing is action contingent upon him reaching the agreement he says that he is working on with the AM VETS or repayment in that he agrees, on the record, that if that agreement is not reached then we come back to the Board for further action on the discipline."

Mr. Harold seconded the motion made by Mr. Southerland.

The Board requested that Mr. Knowles speak; he was sworn in and stated, "Yes, I agree to that and I said that at the last meeting. Of course I'd like to point out that this doesn't carry so far as to give a blanket agreement to sign whatever agreement they come up with. I've discussed that with the AM VETS, you know, the term reasonable is something that attorneys like to use as long as everything is within reasonable parameters." Mr. Knowles continued with information regarding the investigative work being conducted on the case. He, once again, gave his affirmation to a reasonable sum repaid to the AM VETS.

The motion passed with a unanimous vote.

#### **Old Business (Formal Hearing)**

##### **Santa Rosa County vs. Crista V Hollenbeck d/b/a Crystal Pools**

Rhonda Royals introduced the case and stated that this is a continuation of a disciplinary formal hearing regarding Crista V Hollenbeck's license #RP0040798. The charge is as listed in previous minutes. The Board agreed to continue this case in order to allow Mr. Hollenbeck and the Company time to clear up any outstanding permits.

Randy briefed the Board on the case. He said Crystal Pools is down to one open permit. They are making good progress, but there are still three issues remaining on this case; a screen enclosure that isn't permitted (application to be turned in next week), and (2) electrical issues, bonding the screen enclosure and a problem with clearance at the pool panel, the pool equipment is sitting right in front of the panel so either the pool equipment or the panel needs to be moved to receive a final inspection. Mr. Hollenbeck did the electrical work for this job, but the homeowner pulled the permit. The house was sold and the second owners pulled a permit to try to get the project finalized.

Mr. Hank Hollenbeck, representative for Crystal Pools, was sworn in. He explained the situation regarding the remaining open permit.

Mr. Blackman made a motion to table the case until the next meeting in order for the contractor to complete job and pass a final. Mr. Southerland seconded the motion. The motion carried with a unanimous vote.

Mr. Harold made a motion to adjourn the meeting. Mr. Blackman seconded the motion. The motion carried with a unanimous vote.

The meeting was adjourned at 3:30p.m.